

From: Travis Minke
To: Microsoft ATR
Date: 1/18/02 8:14pm
Subject: Microsoft Antitrust Settlement Opinion

TWIMC @ USDOJ

I am 27yrs old, have a Master of Science degree in computer science, and have been working professionally in the computer industry for 5 years. I have experience developing on the Windows, Solaris, IRIX, and Linux operating systems. I have also been closely following the Microsoft Anti-Trust case, and wanted to take this opportunity to add my opinion. I am very disappointed with the settlement reached between DOJ and Microsoft. I applaud the nine states who have the strength of character to keep fighting for what is right. It has twice been determined that Microsoft has abused it's monopoly, and yet the DOJ has rolled over and basically given Microsoft a sweetheart (slap-on-the-wrist) deal. I don't, in any way, think the settlement offers fair punishment, or sufficient protection from future behavior.

Microsoft is so blatantly confident in its ability to dominate without interference, that in the midst of this trial it openly pushes ahead with its .NET/HAILSTORM plans. Microsoft has (finally) realized that the internet is the key to control in the future (whereas the OS was in the past) and is making every move possible to dominate that space in the same way.

Microsoft claims it needs freedom to innovate when in fact Microsoft has innovated very little over the years. Most technological breakthroughs commonly attributed to Microsoft were either stolen, copied, or bought. If anything I would argue that Microsoft has sufficiently stifled innovation to put the software industry a decade behind. They are a two-faced company that presents a good (Disney-esque) image to the public, while a minimal amount of scrutiny provides a wealth of information to the contrary.

Microsoft's weakness is being exploited today by the open source movement, specifically the gnu/linux project and the GPL. Here is a model they cannot steal, copy, or buy. It disgusts me, but is not surprising, that in the face of some real competition they don't innovate their way to a better product and compete on merit, but instead look for every possible emotional (FUD), legal solution to the problem.

The current settlement provides no real punishment to Microsoft.

Further indoctrinating a future generation of computer users is not a punishment in any sense of the word. There is specific language in the settlement which excludes the open source movement from any of the information sharing Microsoft might be forced into. If anything the settlement should spur competition, which as mentioned above means the open-source movement. I also believe the three-person supervisory panel will end up being a facade with no real power. (The selection process requiring Microsoft's approval pretty much guarantees this.) Others have commented at great length as to the loopholes and weaknesses of the

settlement and I won't try to duplicate that here.

To summarize, I and the software industry have been harmed by Microsoft's abuse of it's monopoly and I do not feel the current settlement does anything to address their past abuses, or insure future protection from such abuses. I am gravely disappointed in the US Department Of Justice for its incomprehensible capitulation to my generation's biggest bully.

Sincerely,

Travis Minke

_____/

_____/

_____/ Travis Minke

_____/ tadminke@qwest.net

_____/

_____/